

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 06, 2015

SEAN F. McAVOY, CLERK

Report on Offender Under Supervision
(No Action Requested)

Name of Offender: Mitchell Douglas Gilbreth Case Number: 0980 2:08CR00110-EFS-1

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: February 5, 2009 Type of Supervision: Supervised Release

Original Offense: Receipt of Child Pornography, 18 U.S.C. § 2252A(a)(2)(A) Date Supervision Commenced: July 12, 2013

Original Sentence: Prison - 60 Months; Date Supervision Expires: July 11, 2018
TSR - 60 Months

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|--|
| 1 | <p><u>Special Condition # 19:</u> Defendant shall not possess or manufacture any sexually stimulating, sexually explicit or sexually oriented material including videos, magazines, photographs, computer generated depictions, or any other matter that depicts “sexually explicit conduct” involving children or adults, as defined by 18 U.S.C. § 2256(2). The defendant shall not enter or be present at any establishment involved in the sex industry, including adult book stores, message parlors, escort services, and strip bars. The defendant shall not use any sex-related adult telephone number. The defendant shall provide all his telephone records to monitor compliance, at the direction of the probation officer.</p> |
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Supporting Evidence: On March 11, 2015, Mitchell Gilbreth informed the undersigned officer that he had accessed pornography on the Internet, in violation of his conditions of supervised release.

U.S. Probation Officer Action:

Mr. Gilbreth is aware of the significance of his behavior. He was told that any additional relapses with pornography can result in an appearance before Your Honor. The offender was counseled about the choices he has made, and the impact those choices can have on his supervision. In addition, Mr. Gilbreth’s sex offender therapist was contacted, and confirmed that Mr. Gilbreth had disclosed his relapse with her as well. The therapist voiced her belief that the offender is amenable to treatment. Mr. Gilbreth will continue to work on his addiction in treatment.

On March 30, 2015, a polygraph was conducted, and no further violation behaviors were admitted. This officer believes Mr. Gilbreth understands the severity of his violation and is aware of the consequences of further noncompliance.

As an intermediate sanction, Mr. Gilbreth was directed to discard his cell phone with Internet capabilities, and to cease any and all Internet use. This has been verified by the undersigned officer through contact with Mr. Gilbreth’s work supervisor and through the recent polygraph test.

Prob12A

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Your Honor, it is hoped that the intermediate sanction imposed meets your expectations. Please advise this officer should Your Honor require a different course of action or a court appearance by Mr. Gilbreth.

I declare under penalty of perjury that the foregoing is true and correct.

Executed On:

April 6, 2015

s/Patrick J. Dennis

Patrick J. Dennis

U.S. Probation Officer

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- ☐ Court Concurs with Officer Action
☐ Submit a Request for Modifying the Condition or Term of Supervision
☒ Submit a Request for Warrant or Summons
☐ Other



Signature of Judicial Officer

April 6, 2015

Date